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PTO/SB/30 (10/2001)

Approved for use through 10/31/2002 OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

| | |
|------------------------|-------------------------------|
| Application Number | 09/436,164 |
| Filing Date | November 9, 1999 |
| First Named Inventor | Benjamin E. Reubinoft, et al. |
| Art Unit | 1632 |
| Examiner Name | J. T. Weitach |
| Attorney Docket Number | 13164 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8,

1. **Submission required under 37 CFR §1.114**

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☒ Other PTO-1449 and Petition for one month
Extension of Time (dup)

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for
a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR §1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to
Deposit Account No. 19-1013/SSMP

i. ☒ RCE fee required under 37 CFR §1.17(e) \$740.00

ii. ☒ Extension of time fee (37 CFR §§1.136 and 1.17)

iii. ☐ Other _____

10/01/2002 CNGUYEN 00000124 191013 09436164

b. ☐ Check in the amount of \$ _____ enclosed 01 FC:179 740.00 CH

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)

Peter J. Bernstein

Registration No. (Attorney / Agent)

43,497

Signature

Date

September 23, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark

Name (Print / Type)

Anna Baerga

Signature

Date

September 23, 2002

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|--------------------|-------------------------------|------------------|--------------------|
| Applicants: | Benjamin E. Reubinoff, et al. | Examiner: | J. T. Woitach |
| Serial No.: | 09/436,164 | Art Unit: | 1632 |
| Filed: | November 9, 1999 | Docket: | 13164 |
| For: | EMBRYONIC STEM CELLS | Dated: | September 23, 2002 |

Assistant Commissioner for Patents
Washington, DC 20231

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AMENDMENT UNDER 37 C.F.R. §1.114

Sir:

In response to the Final Action dated May 22, 2002 and in accordance with the provisions of 37 C.F.R. §1.114, Applicants respectfully submit the following amendment for entry in the above-identified case.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on September 23, 2002.

Dated: September 23, 2002


Anna Baerga